

House Bill 1252

By: Representatives Fleming of the 117th, Martin of the 47th, and Shaw of the 176th

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to the general provisions of courts, so as to change certain provisions relating to when a senior judge may preside; to change certain provisions relating to requesting judicial assistance from other courts; to change certain provisions relating to senior judge status and requesting assistance of senior judges; to change certain provisions relating to senior judges of the state court, probate court, or juvenile court and requesting assistance of a senior judge; to provide for related matters; to provide an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to the general provisions of courts, is amended by adding a new subsection to Code Section 15-1-9.1, relating to requesting judicial assistance from other courts, to read as follows:

"(n) Notwithstanding the provisions of this Code section, a senior judge shall not be assigned, designated, or preside in any criminal case involving a capital offense for which the death penalty may be imposed."

SECTION 2.

Said chapter is further amended by adding a new subsection to Code Section 15-1-9.2, relating to senior judge status and requesting assistance of senior judges, to read as follows:

"(e) Notwithstanding the provisions of this Code section, a senior judge shall not be assigned, designated, or preside in any criminal case involving a capital offense for which the death penalty may be imposed."

SECTION 3.

Said chapter is further amended by adding a new subsection to Code Section 15-1-9.3, relating to senior judges of the state court, probate court, or juvenile court and requesting assistance of a senior judge, to read as follows:

"(g) Notwithstanding the provisions of this Code section, a senior judge shall not be assigned, designated, or preside in any criminal case involving a capital offense for which the death penalty may be imposed."

SECTION 4.

This Act shall become effective on July 1, 2008, and shall apply to all cases filed on or after July 1, 2008.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.